IN THE HIGH COURT OF JUDICATURE AT BOMBAY
IN INSOLVENCY

INSOLVENCY PETITION NO.43 OF 2005

Re : Ganesh Sugar Supply Co. & Ors. ...Debtors.
Ex-parte:
Dipesh Bakulesh Mehta. ..Petg. Creditor.

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Ms. K.S. Lalwani for the Petitioning Creditor.

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CORAM : DR.D.Y.CHANDRACHUD, J.

August 1, 2006.

P.C.

The Petitioning Creditor issued an insolvency notice on 13th October 2004 in the amount of Rs.48,840.83, based on a decree on admission. The Debtors took out a Notice of Motion for setting aside the insolvency notice which was disposed of on 1st February 2005 by a conditional order. There has been a default in complying with the conditional order. An affidavit of service has been filed. There is no reply. In these circumstances, an order of adjudication has to be passed and is accordingly passed in terms of prayer clause (a). The Petition is made absolute in these terms.

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